

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM FLORENCE COUNTY  
General Sessions Court  
William H. Seals, Jr., Circuit Court Judge

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Case No. 2013-GS-21-01353  
Appellate Case No. 2015-000235

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**RECEIVED**

DEC 27 2017

S.C. SUPREME COURT

The State,

Respondent,

v.

Bryant Christopher Gurley,

Petitioner.

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MOTION FOR EXTENSION OF TIME

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Pursuant to Rule 240 of the South Carolina Appellate Court rules, Petitioner, Bryant Christopher Gurley, respectfully moves for a 10-day extension of the deadline for filing a Petition for Writ of Certiorari, for good cause, and in support of this motion states as follows:

1. The Court of Appeals reversed the conviction of Petitioner in a decision filed August 9, 2017. The State filed a Petition for Rehearing en banc in the Court of Appeals. Anticipating that the State would seek rehearing of the issues decided in

Petitioner's favor, Petitioner also filed a Petition for Rehearing in the Court of Appeals, asking that the Court also address issues raised on appeal but not decided by the Court of Appeals. On November 22, 2017, the Court of Appeals issued an order denying both petitions for rehearing. Any Petition for Writ of Certiorari is due to be filed within 30 days, but the courts were closed December 22 through 26, therefore any Petition for Writ of Certiorari is due to be filed today, December 27, 2017.

2. On December 20, 2017, the State filed a Petition for Writ of Certiorari, seeking review by this Court of the issues decided in Petitioner's favor by the Court of Appeals. Because of the State's pursuit of further appellate review, Petitioner also intends to file a Petition for Writ of Certiorari to have the Supreme Court address the issues raised on appeal but not decided by the Court of Appeals.

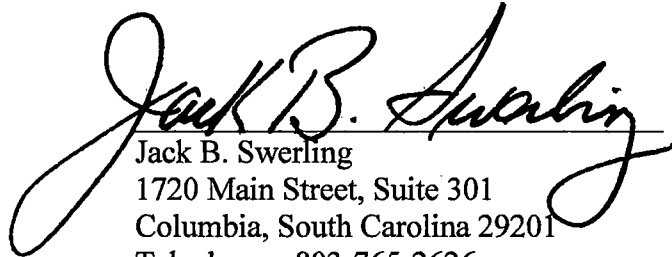
3. One of Petitioner's attorneys experienced a death in her immediate family during the initial 30-day period for filing a Petition for Writ of Certiorari. Due to that circumstance and the need to address personal and family matters as the result of that death, counsel's ability to work has been limited. Under these circumstances, good cause exists for granting a brief extension of the deadline for filing Petitioner's Petition for Writ of Certiorari. Accordingly, Petitioner respectfully moves for an additional 10 days in which to prepare, serve, and file his petition, to January 8, 2018.

4. This extension request is not for the purpose of delay but for good cause, due to the circumstances recited above, and no prejudice will result to the State from an order granting this extension request.

5. Counsel's staff has been unable to get consent from opposing counsel due to the holiday schedule.

Wherefore, Petitioner respectfully moves for a 10-day extension of the deadline for serving and filing Petitioner's petition for writ of certiorari, to January 8, 2018.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack B. Swerling". The signature is written in a cursive style with a large, looping initial "J".

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Attorneys for Petitioner

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PROOF OF SERVICE

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I certify that I have served the Motion for Extension, by mailing a copy, postage prepaid, to counsel for Respondent, Assistant Attorney General William M. Blich, Jr., Office of the Attorney General, P.O. Box 11549, Columbia, South Carolina 29211-1549, on December 27, 2017.



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